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Richard M Kipperman, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT
Southern District Of California

In re
LIVE OAK HOLDING, LLC,
Debtor.

Case No. 13-11672-LT11

Chapter 11

**MOTION FOR ORDER APPROVING THE
SALE OF 1.1 ACRES OF REAL
PROPERTY CONTAINING GAS STATION
AND MARKET, FREE AND CLEAR OF
ALL LIENS, CLAIMS, ENCUMBRANCES,
AND INTERESTS**

Date: March 27, 2015
Time: 10:00 a.m.
Dept.: 3
Judge: Laura S. Taylor

Richard M Kipperman, the chapter 11 trustee (the "Trustee") of Live Oak Holding, LLC (the "Debtor"), by and through his undersigned counsel, hereby moves (the "Motion") the Court for an order approving the sale of 1.1 acres of the Debtor's real property, including a gas station and market (the "Property") free and clear of all liens, claims, encumbrances, and interests pursuant to 11 U.S.C. § 363, Federal Rule of Bankruptcy Procedure 6004 and Local Bankruptcy Rule 6004-1.

The Trustee has agreed to sell the Property to Ghassan Matthe for \$425,000 in cash, on the terms of that certain Asset Purchase Agreement attached as Exhibit A to the Motion for Order Establishing Bidding and Sale Procedures [Docket No. 137-1], subject to Court approval and overbids at a public auction. The auction will occur on March 26, 2015 at 10:00 a.m. at the offices

1 of Mintz Levin Cohn Ferris Glovsky and Popeo, P.C., located at 3580 Carmel Mountain Road, Suite
2 300, San Diego, California 92130. The auction procedures are set forth in the Motion for Order
3 Establishing Bidding and Sale Procedures [Docket No. 137].

4 Pursuant to sections 363(f)(2) and (5) of the Bankruptcy Code, the Property may be sold free
5 and clear of all liens, claims, encumbrances and interests.

6 This Motion is supported by the Memorandum of Points and Authorities and the Declaration
7 of Abigail V. O'Brient filed concurrently herewith, all pleadings and papers on file with the Court,
8 and such other evidence as may be presented to the Court at or prior to the hearing on the Motion.
9

10 Dated: February 27, 2015

/s/ Abigail V. O'Brient

Jeffrey A. Davis

Abigail V. O'Brient

MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO P.C.

Attorneys for

Richard M Kipperman, Chapter 11 Trustee

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